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# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	5914-078-999	Total Pages
First Named Inventor or Application Identifier		
Philip N. Benfey et al.		
Express Mail Label No.	EL 451 594 264 US	

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing*
2.  Specification [Total Pages 79]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description of the Invention (including drawings, *if filed*)
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 USC 113) [Total Sheets 19]
4.  Oath or Declaration (unexecuted) [Total Sheets 2]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
**[Note Box 5 below]**
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5.  Incorporation By Reference (*useable if Box 4b is checked*)  
*The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*
17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: filed .

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

6.  Microfiche Computer Program (*Appendix*)
7.  Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8.  Assignment Papers (cover sheet & document(s))
9.  37 CFR 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
10.  English Translation Document (*if applicable*)
11.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
12.  Preliminary Amendment
13.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
14.  Small Entity Statement filed in prior application, Statement(s) Status still proper and desired
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Other:

## 18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

20583  
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or  Correspondence address below

NAME			
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CITY	STATE	ZIP CODE	
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**PENNIE & EDMONDS LLP**  
**COUNSELLORS AT LAW**  
 1155 Avenue of the Americas  
 New York, N.Y. 10036-2711  
 (212) 790-9090

ATTORNEY DOCKET NO. 5914-078-999Date: May 24, 2000

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Philip N. Benfey *et al.*

Executed on: Unexecuted

Title of Invention: SHORT-ROOT GENE, PROMOTER, AND USES THEREOF

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	Fee
Total Claims	41	-20	21	\$18.00 each	\$ 378.00
Independent	12	-3	9	\$78.00 each	\$ 702.00
			Minimum Fee		\$ 690.00
			Multiple Dependency Fee If Applicable (\$260.00)		\$ 260.00
			Total		\$ 2,030.00
			50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)		- \$ 0.00
			Total Filing Fee		\$ 2,030.00

- Priority of application no. filed on in is claimed under 35 U.S.C. § 119.
- The certified copy of the priority application has been filed in application no. filed
- Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed .

Respectfully submitted,

  
 Atulya R. Agarwal

40,887

(Reg. No.)

 For: Laura A. Coruzzi  
 (Reg. No. 30,742)  
**PENNIE & EDMONDS LLP**

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.